

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

Published by the Secretary of State, agreeably to Resolves of
June 28, 1820, February 18, 1840, and March 16, 1842

AUGUSTA
KENNEBEC JOURNAL PRINT
1909

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth
Legislature

1909

CHAP. 277

a point on the westerly side of said river eight hundred yards below the mouth of Wallagrass river and extending down the westerly side of said Fish river to a cedar post where the said George F. L'Abbee's mill is now erected.

Shall not delay passage of logs and lumber.

Section 2. Said piers and booms shall be so constructed that logs, pulp wood and other lumber shall not be impeded or delayed in its passage down said river, and expense of such delay, if any, shall be paid by said L'Abbee.

Logs and lumber, upon demand of owner, to be turned out of boom.

Section 3. Said booms and piers shall also be so constructed that if logs, lumber or other floatable material not owned by said L'Abbee, be found within said booms, they shall upon notice in writing be turned out of said booms at L'Abbee's expense.

In case of interference with usefulness of piers and booms, said L'Abbee shall not be entitled to damages.

Section 4. In the event of the erection of dams on Fish river by the Fish River Improvement Company, or its assigns, and said piers, piles and booms are rendered useless by reason of flowage or from other causes, the said L'Abbee, his heirs or assigns, shall be entitled to no damages for any interference with the usefulness of said piers, piles and booms by the Fish River Improvement Company or its assigns.

Approved March 24, 1909.

Chapter 277.

An Act authorizing George F. L'Abbee of Eagle Lake Plantation to maintain a dam in Wallagrass River.

Be it enacted by the People of the State of Maine, as follows:

George F. L'Abbee authorized to maintain dam on Wallagrass stream.

Section 1. George F. L'Abbee of Eagle Lake plantation, in the county of Aroostook, state of Maine, his heirs and assigns, are hereby authorized to maintain the dam now erected on leased land on Wallagrass stream, near the southwest corner of block twenty-four, about two hundred feet below the lower lake on said stream, in Wallagrass plantation, county of Aroostook, for the purpose of raising a head of water and of making said stream floatable and of facilitating the driving of logs and lumber upon the same.

May flow contiguous lands.

—proceedings for damages, if parties fail to agree.

Section 2. Said George F. L'Abbee for the above purposes may flow contiguous lands so far as necessary to raise suitable heads of water, and if the parties cannot agree upon the damages, said L'Abbee shall not be liable to an action at common law, but the person injured may have a remedy by complaint for flowage, in which case the same proceedings shall be had as when a complaint is made under the statutes of this state

for flowing lands occasioned by raising a head of water for the working of mills.

Section 3. Nothing in this act shall be construed as giving to said George F. L'Abbee, his heirs or assigns, any title to the land occupied or flowed by said dam.

Shall not acquire title to land.

Section 4. The right of said L'Abbee to maintain the dam under this act shall terminate on the expiration of the lease of the land occupied by said dam.

When right to maintain dam shall terminate.

Approved March 24, 1909.

Chapter 278.

An Act to regulate the taking of fish in certain waters in Somerset County and in the Northern part of Franklin County.

Be it enacted by the People of the State of Maine, as follows:

Section 1. It shall be unlawful for any person to take, catch or kill or have in possession more than ten pounds of land-locked salmon, trout or togue in all in any one day during the open season on the same in any of the following named waters in Somerset county and in Franklin county, to wit: In any of the brooks, streams, rivers, ponds or lakes in townships one, two, three and four, range five, Somerset county; townships one, two, three, four and five, range six, Somerset county; townships two, three, four, five and six, range seven, Somerset county, all in the B. K. P., W. K. R., Somerset county; townships two, three, four (Jackman) five and six, range one, Somerset county; townships two, three, four (Moose river), five and six, range two, Somerset county; townships two, three, four and five, range three, Somerset county; townships three and four, range four, Somerset county; townships three and four, range five, Somerset county, all N. B. K. P., Somerset county; township one, range six, Franklin county; townships one and two, range seven, Franklin county; townships one and two, range eight, Franklin county; township one, range nine, Franklin county, all W. B. K. P., Franklin county.

Taking land-locked salmon, trout or togue in certain waters of Somerset county and northern part of Franklin county, regulated.

Section 2. Whoever violates any of the provisions of this act shall be subject to the same penalty as is provided in the general law of the state for the illegal fishing for and catching land-locked salmon, trout and togue.

Penalty for violation.

Section 3. In all prosecutions under this chapter, municipal and police courts and trial justices within their respective counties shall have, upon complaint, original and concurrent jurisdiction with the supreme and superior courts, and all fines, for-

Jurisdiction of courts.